

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
Houston Division**

Odelia Abecassis, Margarita Abramov, Yuri Abramov, )  
Mazal Alevi, Pnina Alterovich, Anat Amar, Binyamin )  
Amar, Chagai Amar, David Michel Amar, Eliad Amar, )  
Gafnit Amar, Negba Amar, Noam Amar, Shay Amar, )  
Shir Amar, Tzachi Amar, Tzuria Amosi, Maimon )  
Amsalem, Efraim Aroas, Izak Aroas, Yaffa Aroas, )  
Rachel Assraf, Avigail Avdaev, Ben Tzion Avdaev, )  
Ovadia Avdaev, Oshra Avitzur, Getaun Azanu, Habasta )  
Azanu, Solange Azran, Maxim Azulai, Perach Baruch, )  
Guy Baruch, Amram Ben Ezra, Estate of Haim Ben Ezra, )  
Lea Ben Ezra, Mordechai Ben Ezra, Sol Ben Ezra, )  
Yehiel Bornstein, Doron Borocov, Kochava Borocov, )  
Mordechai Borocov, Estate of Nir Borocov, Yochevet )  
Borochoy, Hila Chen, Zila Cohen, Hani Drimmer, Paul )  
Drimmer, Pnina Drimmer, Rachel Drimmer, Mordechai )  
Elezra, Omer Elezra, Yael Elezra, Estate of Yossi Elezra, )  
Omer Eliav, David Elisha-Sherf, Ben Israel Fahima, )  
Ester Fahima, Gabi Fahima, Kokhava Fahima, Lidor )  
Fahima, Mazal Fahima, Estate of Meir Fahima, Natali )  
Fahima, Ortal Fahima, Shalom Fahima, Maayan Furman, )  
Orit Furman, Michal Ganon, Ortal Ganon, Robert )  
Ganon, Viviane Asraf Ganon, Shula Gaon, Dimitry )  
Gantovnik, Fairna Gantovnik, Bosmat Glam, David )  
Glam, Rachel Glam, Tzvi Yehuda Goldenberg, Roy )  
Gordon, Dikla Hadad, Boris Hanik, Lior Hanik, Estate of )  
Zeev Hanik, Carmela Hason, Rahmim Hason, Sharon )  
Gili Hefetz, Brakha HersHKovitz, Dor HersHKovitz, Sapir )  
HersHKovitz, Shimon HersHKovitz, Zehava HersHKovitz, )  
Adi Hoja, Miriam Izhaki, Heski Kalfa, Naomi Kalfa, )  
Joseph Kleinman, Pnina Kleinman, Ricky Kleinman, )  
Elisheva Lanzkron, Hava Lanzkron, Meir Lanzkron, )  
Estate of Naftali Lanzkron, Netanel Lanzkron, Oria )  
Lanzkron, Yedidia Lanzkron, Yehuda Lanzkron, Yekhiel )  
Lanzkron, Brenda Levenson, Stephen Levenson, Tamar )  
Levenson, Aviva Levi, Hila Levi, Shimon Levi, Carmela )  
Litmanovic, Ariel Mahfud, Meital Maymony, Dana )  
Mizrachi, Lia Lihi Mizrachi, Shimon Mordéchai, Assaf )  
Myara, Lisa Myara, Baruch Naim, Daniel Navon, Malka )  
Nisim, Tamar Oziel, Galine Peline, Katerina Peline, )  
Victor Peline, Lilian Peretz, Alexander Plotkin, Iris Rabi, )  
Moria Rabi, Moshe Rabi, Kinnert Rahamin, Gidon )  
Regev, Estate of Menashe Regev, Anat Ris, Sabine Ris, )

C.A. No. 4:09-cv-03884

Estate of Shoshona Ris, Tuvia Ris, Tzvia Ris, Joseph )  
 Rokach, Moran Rokach, Liat Rokach, Yaffa Rokach, )  
 Estate of Eliran Rozenberg, Shoshana Rotenberg, Mark )  
 Rudin, Simona Rudin, Eli Sarusi, Christina Segal, Diane )  
 Segal, Ina Segal, Hana Segal, Sharon Segal, Merav )  
 Shamir, Ezra Sharabi, Iris Shfaim, Shmuel Shfaim, )  
 Naomi Shfaym, Yaakov Shfaym, Naima Shimon, )  
 Shoshana Simon, Refael Sommer, Rachel Sommer, )  
 Israel Sommer, Olesya Sorokin, Alexander Sorokin, )  
 Estate of Vladislav Sorokin, Ester Ifat Sultan, Anderi )  
 Tailakov, Irina Tal, Hannanel Touito, Ester Touito, )  
 Haron Touito, Amira Turgeman, Avi Turgeman, Edna )  
 Turgeman, Estate of Golan Turgeman, Moshe Turgeman, )  
 Orly Turgeman Goldshmit, Ilana Vaknin, Dorit Yadid, )  
 Michael Ysaia, Sinai Zaken, Michal Zayat Rozenberg, )  
 Hila Zayat, Shiran Zayat, Noam Zayat, Noga Zayat, Zeev )  
 Zayat, Yunis Zeid, Avi Zino, Viki Zino. )

Plaintiffs, )

v. )

Oscar S. Wyatt Jr., Nucoastal Corporation, )  
 NuCoastal Trading Co., S.A., El Paso Energy )  
 Corporation, Bayoil (USA) Inc., David B. Chalmers )  
 Jr., Bayoil Supply & Trading Limited. )

Defendants. )

### **NOTICE OF APPEAL**

Plaintiffs, Odelia Abecassis; Margarita Abramov, Yuri Abramov, Mazal Alevi, Pnina  
 Alterovich, Anat Amar, Binyamin Amar, Chagai Amar, David Michel Amar, Eliad Amar, Gafnit  
 Amar, Negba Amar, Noam Amar, Shay Amar, Shir Amar, Tzachi Amar, Tzuria Amosi, Maimon  
 Amsalem, Efraim Aroas, Izak Aroas, Yaffa Aroas, Rachel Assraf, Avigail Avdaev, Ben Tzion  
 Avdaev, Ovadia Avdaev, Oshra Avitzur, Getaun Azanu, Habasta Azanu, Solange Azran, Maxim  
 Azulai, Perach Baruch, Guy Baruch, Amram Ben Ezra, Estate of Haim Ben Ezra, Lea Ben Ezra,  
 Mordechai Ben Ezra, Sol Ben Ezra, Yehiel Bornstein, Doron Borocov, Kochava Borocov,

Mordechai Borocov, Estate of Nir Borocov, Yochevet Borochoy, Hila Chen, Zila Cohen, Hani Drimmer, Paul Drimmer, Pnina Drimmer, Rachel Drimmer, Mordechai Elezra, Omer Elezra, Yael Elezra, Estate of Yossi Elezra, Omer Eliav, David Elisha-Sherf, Ben Israel Fahima, Ester Fahima, Gabi Fahima, Kokhava Fahima, Lidor Fahima, Mazal Fahima, Estate of Meir Fahima, Natali Fahima, Ortal Fahima, Shalom Fahima, Maayan Furman, Orit Furman, Michal Ganon, Ortal Ganon, Robert Ganon, Viviane Asraf Ganon, Shula Gaon, Dimitry Gantovnik, Fairna Gantovnik, Bosmat Glam, David Glam, Rachel Glam, Tzvi Yehuda Goldenberg, Roy Gordon, Dikla Hadad, Boris Hanik, Lior Hanik, Estate of Zeev Hanik, Carmela Hason, Rahmim Hason, Sharon Gili Hefetz, Brakha HersHKovitz, Dor HersHKovitz, Sapir HersHKovitz, Shimon HersHKovitz, Zehava HersHKovitz, Adi Hoja, Miriam Izhaki, Heski Kalfa, Naomi Kalfa, Joseph Kleinman, Phnina Kleinman, Ricky Kleinman, Elisheva Lanzkron, Hava Lanzkron, Meir Lanzkron, Estate of Naftali Lanzkron, Netanel Lanzkron, Oria Lanzkron, Yedidia Lanzkron, Yehuda Lanzkron, Yekhiel Lanzkron, Brenda Levenson, Stephen Levenson, Tamar Levenson, Aviva Levi, Hila Levi, Shimon Levi, Carmela Litmanovic, Ariel Mahfud, Meital Maymony, Dana Mizrachi, Lia Lihi Mizrachi, Shimon Mordechai, Assaf Myara, Lisa Myara, Baruch Naim, Daniel Navon, Malka Nisim, Tamar Oziel, Galine Peline, Katerina Peline, Victor Peline, Lilian Peretz, Alexander Plotkin, Iris Rabi, Moria Rabi, Moshe Rabi, Kinnert Rahamin, Gidon Regev, Estate of Menashe Regev, Anat Ris, Sabine Ris, Estate of Shoshona Ris, Tuvia Ris, Tzvia Ris, Joseph Rokach, Moran Rokach, Liat Rokach, Yaffa Rokach, Estate of Eliran Rozenberg, Shoshana Rotenberg, Mark Rudin, Simona Rudin, Eli Sarusi, Christina Segal, Diane Segal, Ina Segal, Hana Segal, Sharon Segal, Merav Shamir, Ezra Sharabi, Iris Shfaim, Shmuel Shfaim, Naomi Shfaym, Yaakov Shfaym, Naima Shimon, Shoshana Simon, Refael Sommer, Rachel Sommer, Israel Sommer, Olesya Sorokin, Alexander Sorokin, Estate of Vladislav Sorokin, Ester

Ifat Sultan, Anderi Tailakov, Irina Tal, Hannanel Touito, Ester Touito, Haron Touito, Amira Turgeman, Avi Turgeman, Edna Turgeman, Estate of Golan Turgeman, Moshe Turgeman, Orly Turgeman Goldshmit, Ilana Vaknin, Dorit Yadid, Michael Ysaia, Sinai Zaken, Michal Zayat Rozenberg, Hila Zayat, Shiran Zayat, Noam Zayat, Noga Zayat, Zeev Zayat, Yunis Zeid, Avi Zino and Viki Zino, in conformity with Rules 3 and 4 of the Federal Rules of Appellate Procedure and pursuant to 28 U.S.C. 1291, hereby appeal to the United States Court of Appeals for the Fifth Circuit this Court's Memorandum and Order of March 31, 2010, in which the Court granted Defendants' Motion to Dismiss Plaintiffs' claims under the Torture Victims Protection Act and the Alien Tort Statute without leave to amend. This appeal encompasses the entirety of this Court's Order.

Respectfully submitted,

/s/ Raul Suazo

Raul Suazo

MARTIN, DISIERE, JEFFERSON & WISDOM, L.L.P.

808 Travis Street, Suite 1800

Houston, Texas 77002

Telephone: (713) 632-1700

Michael J. Miller

THE MILLER FIRM, LLC

The Sherman Building

108 Railroad Avenue

Orange, VA 22960

Tel: (540) 672-4224

Gavriel Mairone, Esq.

Bar Number 6181698

MM-LAW LLC

980 North Michigan Avenue

Suite 1400

Chicago IL 60611

### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Notice of Appeal has been electronically filed with the Clerk of Court of the United States District Court for the Southern District of Texas by using the CM/ECF system, which will send a Notice of Electronic Filing to the following counsel of record:

**Carl A Parker**  
Parker Law Firm  
1 Plaza Sq  
Port Arthur, TX 77642  
409-985-8814  
Fax: 409-985-2833

**Don Chapple Nelson**  
3355 West Alabama, Suite 1020  
Houston, TX 77098  
Tel: 713-877-7171  
Fax: 713-877-7198

**William R Pakalka**  
**Anne M. Rodgers**  
**Layne Edwin Kruse**  
Fulbright & Jaworski LLP  
1301 McKinney St. Suite 5100  
Houston, TX 77010  
Tel: 713-651-5151  
Fax: 713-651-5246

**David S Toy**  
**Francis I. Spagnoletti**  
Spagnoletti and Company  
401 Louisiana, 8th Floor  
Houston, TX 77002  
Tel: 713-653-5600  
Fax: 713-653-5656

/s/ Raul Suazo  
Raul Suazo  
MARTIN, DISIERE, JEFFERSON & WISDOM, L.L.P.  
808 Travis Street, Suite 1800  
Houston, Texas 77002